

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL MEMORANDUM

SB 1912 – HB 2248

March 28, 2016

SUMMARY OF ORIGINAL BILL: Prohibits state funds from being expended to support the Office of Diversity and Inclusion (ODI) at the University of Tennessee at Knoxville (UTK) beginning in FY16-17. Any duties relative to compliance monitoring required by the federal government for diversity and inclusion that are currently performed by the ODI staff shall be performed by an employee in the Office of the Chancellor at UTK. Prohibits UTK from hiring an employee to perform any additional duties. All state funds budgeted for the ODI of UTK in FY16-17 shall be reallocated to the Department of Finance and Administration (F&A) to be used in a decal program that will place the national motto on vehicles of state law enforcement agencies. Requires the Governor's annual budget to include an amount equal to the amount appropriated in the previous fiscal year for the decal program beginning in FY17-18.

FISCAL IMPACT OF ORIGINAL BILL:

Decrease State Revenue- \$436,700/UTK/Office of Diversity and Inclusion

Increase State Revenue - \$436,700/F&A/Earmarked for Decal Program

Decrease State Expenditures - \$436,700/UTK/Office of Diversity and Inclusion

Increase State Expenditures - \$436,700/F&A/Earmarked for Decal Program

SUMMARY OF AMENDMENT (014856): Deletes all language of the original bill. Prohibits state funds from being expended by the University of Tennessee (UTK) to promote the use of gender neutral pronouns; to promote or inhibit the celebration of religious holidays; or to fund or support sex week. From state funds budgeted for the Office of Diversity and Inclusion (ODI) at UTK, for FY16-17, an amount sufficient to fund a national motto decal program shall be appropriated by UT from the UTK ODI to the School of Art's graphic design program and UT print shop to design, produce, and distribute decals for any law enforcement agency that requests them. The version of the national motto to be used on the decals shall be the one approved by the United States Congress in 1956. Such decals will be made available for affixation to the vehicles of local or state law enforcement agencies. Funds remaining available for the decal program at the end of each fiscal year, FY16-17 through FY18-19, shall not revert to the General Fund; however, any funds remaining after FY19-20 shall revert to the General Fund. Any remaining funds that are not reallocated from the ODI to the decal program, in FY16-17, shall be used for additional student recruitment and shall not be used for funding to the ODI. Requires UT to make an annual report to the General Assembly at the end of each year that the decal program is operational. The report shall include: a list of the law enforcement agencies that requested the decals, the number requested by each law enforcement agency, the total number of decals produced, and the total expenditures of the program for the year.

Requires that any increase in expenditures for the report to be included in the cost of program administration.

FISCAL IMPACT OF BILL WITH PROPOSED AMENDMENT:

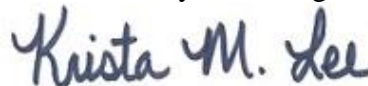
Other Fiscal Impact – A one-time shift of \$436,700 in funding in FY16-17 from the Office of Diversity and Inclusion at the University of Tennessee (UTK) to either UTK’s School of Art for the purpose of designing and administering a decal program for law enforcement agencies or for additional student recruitment at UTK. The net impact to the budget of UTK for FY16-17 is estimated to be not significant.

Assumptions for the bill as amended:

- The total FY15-16 budget for the ODI at UTK is \$436,722.
- It is unknown how much funding will be necessary to fund the required decal program; however the entirety of the FY16-17 funding for the ODI at UTK will be reallocated to either student recruitment or the decal program.
- This reallocation will result in a decrease in revenue and expenditures relative to the ODI of UTK; and a like increase in state revenue and expenditures, relative to the decal program or student recruitment FY16-17.
- Any remaining funds for the decal program in FY16-17 shall not revert to the General Fund but shall remain available for expenditure for the decal program until FY19-20 when such funds will revert to the state General Fund.
- Funding for ODI at UTK in FY17-18 and subsequent years is unchanged by the bill as amended.
- The Governor’s FY16-17 budget includes \$5,806,700 for the UT Access and Diversity Initiative. It is assumed this funding will continue to be directed to UTK and will not be a part of the proposed reallocation.
- Any increase in state and local expenditures to affix decals to local or state law enforcement vehicles is estimated to be not significant.
- Any increase in expenditures for UT to make the annual report to the General Assembly is estimated to be not significant and will be included in any administrative cost of the program.

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.



Krista M. Lee, Executive Director

/rbp